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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,673	12/13/2000	Hajime Sakai	MAT-8072US	5614

7590 05/12/2003

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EXAMINER

TAYLOR, BARRY W

ART UNIT	PAPER NUMBER
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2643
DATE MAILED: 05/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/735,673

Applicant(s)

SAKAI ET AL.

Examiner

Barry W Taylor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,9,10,12 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,9,10,12 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-2, 5 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Fan (5,602,908).

Regarding claim 1. Fan teaches a telephone apparatus (Title, abstract, figures 1-2) comprising:

an information detector for detecting a transmitted caller's information (#22 figure 1);

an operation unit for specifying a group of the caller's information (see keypad #28 figure 1, col. 4 lines 16-20);

a memory (#29 figure 1) for storing caller's information (i.e. telephone number) and specified group (i.e. priority callers) information (#26, #27 figure 1, col. 1 lines 57-67, col. 2 lines 19-60, col. 3 lines 3-67, col. 4 lines 16-20);

a display unit (#25 figure 1); and

a controller (#24 figure 1), the controller displays the caller's information in the display unit (Title, abstract), and searches the information in the memory (col. 1 line

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25-67, col. 2 lines 19-60, col. 3 line 27 – col. 8 line 51), and when finding the information coinciding with the caller's information, the caller's information is shown in the display unit so as to identify the group of the caller's information (Title, abstract, col. 2 lines 19-34, col. 3 line 42 – column 8).

In other words, Fan allows for the "Display Information" to be anything. For example, Fan allows plurality of numbers to be assigned to LED (i.e. family members assigned to GREEN LED having high priority and the RED LED used for indicating low priority calls such as old girl friends, telemarketers, etc). Fan allows for great flexibility to program the unit to users desire. Furthermore, Applicant's "group information" is subjective and does not distinguish from using GREEN LED to indicate family member or using RED LED for low priority calls.

Regarding claim 2. Fan teaches allowing the user to make a call by dialing one or more characters instead of the whole number (last 6 lines of abstract).

Regarding claim 5. Fan teaches wherein the caller's information contains at least telephone number (see abstract, see col. 3 lines 39-67).

Regarding claim 12. Fan teaches detecting information from a telephone line (see 11 figure 1).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 3-4, 9-10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan (5,602,908) in view of Uyeno et al (5,946,636 hereinafter Uyeno) or Bushnell (6,289,084).

Regarding claim 3. Fan teaches a telephone apparatus (Title, abstract, figures 1-2) comprising:

an information detector for detecting a transmitted caller's information (#22 figure 1);

an operation unit for specifying a group of the caller's information (see keypad #28 figure 1, col. 4 lines 16-20);

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a memory (see memory #29 figure 1) for storing caller's information (i.e. telephone number) and specified group (i.e. priority callers) information (#26, #27 figure 1, col. 1 lines 57-67, col. 2 lines 19-60, col. 3 lines 3-67, col. 4 lines 16-20);

a display unit (#25 figure 1);

a light source (#26 figure 1) for emitting plural color lights for illuminating the display unit (abstract, col. 3 lines 39-67, col. 4 lines 4-67, col. 5 lines 1-42);
and

a controller (#24 figure 1) for controlling the light source,

wherein the light source emits a first color (i.e. GREEN) when the callers information coincides with callers information stored in memory and the controller displays the caller's information in the display unit (Title, abstract, col. 1 line 25-67, col. 2 lines 19-60, col. 3 line 27 – col. 8 line 51).

Fan does not explicitly show the light source emits a second color (i.e. RED) when the callers information detected does not coincide with information in the memory. However, Fan allows for the "Display Information" to be anything. For example, Fan allows plurality of numbers to be assigned to LED (i.e. family members assigned to GREEN LED having high priority and the RED LED used for indicating low priority calls such as old girl friends, telemarketers, etc). Fan allows for great flexibility to program the unit to users desire. Furthermore, Applicant's "group information" is subjective and Fan discloses that the number of LEDs is not limited to two and the light pattern for important levels of calls is not limited to the one mentioned (col. 4 lines 58-67).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time

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the invention was made to modify Fan to have a LED to represent a lower priority (i.e. telemarketers).

If not, Uyeno teaches a quick-recognition visual notification system that uses plurality of colors so that the user may quickly and easily identify incoming communications (Title, abstract). Uyeno uses different colors for indicating categories of calls: friends, family, and work-related wherein the LCD's or LED's are capable of emitting multi-color signals, such as red, blue, yellow, and orange, in either flashing mode or a continuous mode so that the identity of the owner of the radio telephone, the identity of an incoming caller, reminder alarms for time ore event, the presence of voice messages, memos, or telephone errors or diagnostics (columns 1-8). Alternatively, a bank of clear lights disposed beneath colored lenses may also be used. Uyeno discloses that type of incoming calls may be color-coded and even **a default category** would include unknown callers (column 3).

Bushnell also teaches apparatus, method and system for personal telecommunication call screening and alerting tailored to the needs, tastes and preferences of individual customers (entire disclosure). Bushnell even teaches assigning a second priority to incoming calls from someone whose telephone number is not in the database (columns 2-3). Bushnell teaches consumer may select or program his or her preferences and system activation/deactivation times and even designate a range of incoming telephone numbers to have a particular priority, such as fro business calls from a particular exchange. For example, a user may want to designate a range of

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incoming numbers which may come from a particular client, customer or business associate (columns 4-5).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the invention as taught by Fan to have a default category as taught by Uyeno or to use a second priority as taught by Bushnell for the benefit of categorizing unknown callers or to indicate the telephone number is not in database as taught by Uyeno or Bushnell.

Regarding claims 4. Fan does not explicitly show using a third color light. However, Fan clearly discloses that the number of LEDs is not limited to two and the light pattern for important levels of calls is not limited to the one mentioned (col. 4 lines 58-67). In other words, Fan allows for the "Display Information" to be anything. For example, Fan allows plurality of numbers to be assigned to LED (i.e. family members assigned to GREEN LED having high priority and the RED LED used for indicating low priority calls such as old girl friends, telemarketers, etc). Fan allows for great flexibility to program the unit to users desire. Furthermore, Applicant's "group information" is subjective.

Regarding claims 9-10. Fan teaches wherein the caller's information contains at least telephone number (see abstract, see col. 3 lines 39-67).

Regarding claim 13. Fan teaches detecting information from a telephone line (see 11 figure 1).

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor whose telephone number is (703) 305-4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 customer service Office whose telephone number is (703) 306-0377.


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600